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Containing the text of the acts of the 1941 Session of the Legislature, both new and amendatory, and notes showing repeals, together with annotations from the various courts, state and federal, and the opinions of the Attorney General, construing the constitution, statutes, charters and court rules of Minnesota together with Law Review Articles and digest of all common law decisions.

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## CHAPTER 105

## State Prison and State Reformatory

## STATE PRISON

**10787. Location and management.**

Act Mar. 5, 1941, c. 69, §1, authorizes sale to Washington County Historical Society, of warden's residence at old prison in Stillwater, Minnesota.

**10808. Diminution of sentence.**

A commutation of sentence to a term of 4½ months, with reservation of right to revoke commutation for misconduct, does not restore civil rights. Op. Atty. Gen. (68h), Sept. 13, 1940.

**10810. No contract labor—Tools and machinery.**

Employment of prisoners at state prison on county and town roads in town of Baytown. Laws 1941, c. 235.

**10811-1. Employment of prisoners—Roads adjacent to prison.**—With the approval of the director of public institutions, the warden of the state prison may furnish the labor of prisoners in said prison and the use of such tools and equipment as may be available to the town of Baytown in said county, without charge, for repairing and maintaining county and town roads in the town of Baytown adjacent or leading to the state prison and prison farm land; the amount of such labor and use of equipment to be commensurate with the use of said roads for state purposes, as the warden may determine. (Act Apr. 15, 1941, c. 235, §1.)

**10812. Sale of binding twine.**—The price of binder twine manufactured at the state prison shall be fixed by the warden and the director of public institutions not later than May first, each year. The director of public institutions, in his discretion, may agree to allow to purchasers of binder twine, uniform discounts from the price so fixed, on condition payment for twine purchased is made by the purchaser at the time agreed upon for such payment. Such twine shall be sold to actual consumers in quantities needed for their use, and to dealers within the state under such rules and regulations as may be provided by said director of public institutions, for cash or on terms with security as may be required and approved by the warden. Dealers desiring to purchase such twine shall enter into a written agreement with the state to sell said twine in keeping with rules and regulations established by the warden and the director of public institutions. Such agreement shall also provide that when such twine is sold for cash it shall be at a price not greater than one cent per pound above the purchase price and freight from the prison to the station where such twine is sold, and when such twine is sold on time, at a price not greater than one and a half cents per pound above the purchase price and freight, as hereinbefore prescribed.

The director of public institutions shall cause to be held in reserve at the prison until March first of each year 1,500,000 pounds of twine for the purpose of filling club and cash orders received from consumers, and thereafter until July first of each year said director of public institutions shall reduce such reserve to 500,000 pounds, after which date all twine shall be sold. The state shall retain a contingent interest in twine so sold, and if any dealer shall violate his said agreement, the director of public institutions may declare such twine forfeited to the state and retake possession thereof. Every dealer purchasing such twine shall keep it separate from other twine and also keep a correct record of all his

sales, showing the date, amount, price and name and postoffice address of purchaser, which shall be open to the inspection of the warden, director of public institutions and the proper county attorney. Every dealer who shall violate the terms of said written agreement, and every person violating any provision of this section, shall be guilty of a gross misdemeanor.

Whenever in the opinion of the director of public institutions and the warden of the prison, the best interests of the state require such action, such binder twine may be sold to dealers or consumers without the state in conformity with federal and individual state laws governing the sale of binder twine. (As amended Apr. 10, 1941, c. 168, §1.)

Sale of products manufactured in factory in state prison at Stillwater is subject to §§10812, 10815, and 10816, and is not affected or controlled by the Reorganization Act. Op. Atty. Gen., (342e), Jan. 5, 1940.

**10814. Number employed in one industry.**—The number of prisoners employed in a single industry at the same time, at either the state prison or the state reformatory shall not exceed 10 per cent of the total number of men engaged in such industry in this state unless a greater number is necessary to produce materials or articles to be supplied to the state or to any agency or governmental subdivision thereof. The number employed in any such industry shall be determined by a commission of three to consist of the chairman of the Minnesota industrial commission, who shall be chairman, the director of public institutions, and a citizen of the state engaged or interested in some manufacturing industry, not connected with the state prison, or reformatory, to be appointed by the governor. Provided, however, that this section shall not apply to the number of prisoners employed in the manufacture of binding twine in the state prison, nor shall it apply to the number of prisoners employed in the manufacture of brushes at the state reformatory, nor shall it apply to the number of prisoners hereafter employed in the manufacture of farm machinery and implements at the state prison, nor shall it apply to the number of prisoners hereafter employed at the state prison in any industry not now carried on in this state and which may be hereafter inaugurated at said state prison. (As amended Act Apr. 21, 1941, c. 334, §1.)

**10815. State prison may manufacture machinery.**

Sale of products manufactured in factory in state prison at Stillwater is subject to §§10812, 10815, and 10816, and is not affected or controlled by the Reorganization Act. Op. Atty. Gen., (342e), Jan. 5, 1940.

**10816. Sale of machines.**

Sale of products manufactured in factory in state prison at Stillwater is subject to §§10812, 10815, and 10816, and is not affected or controlled by the Reorganization Act. Op. Atty. Gen., (342e), Jan. 5, 1940.

**10820. Prisoners in prison or reformatory—etc.**

Though purchases for inmates at state prison and state reformatory are made by division of purchases of department of administration, requirement of reorganization act of competitive bidding is not applicable, stores being owned and operated by inmates. Op. Atty. Gen. (980B-22), July 10, 1940.

## STATE REFORMATORY

**10828. Record of conduct—Release, etc.**

A commutation of sentence to a term of 4½ months, with reservation of right to revoke commutation for misconduct, does not restore civil rights. Op. Atty. Gen. (68h), Sept. 13, 1940.